

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence and citizenship are as stated below next to my name;

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

VIRTUAL INCREMENTAL STORAGE APPARATUS METHOD AND SYSTEM

the specification of which (check one)

 X is attached hereto.
 was filed on _____
as Application Serial No. _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) _____ Priority Claimed

 none _____ Yes _____ No
(_____) (Number) (Country) (Day/Month/Year filed)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

 none
(_____) (Application Serial No.) (Filing Date) (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

John H. Holcombe	20,620	Robert M. Sullivan	39,392
Jean M. Barkley	39,541	John C. Kennel	48,562
Allen K. Bates	50,276	Abdy Raissinia	38,686
Randall J. Bluestone	40,518	Paik Saber	37,494
Dale M. Crockatt	35,109	Christopher Hughes	26,914
John E. Hoel	26,279	Bryan W. Butler	44,043
William Gill	44,124	Brian C. Kunzler:	38,527
Edward A. Pennington	32,588	David J. McKenzie	46,919

Send correspondence to:

Brian C. Kunzler
10 West 100 South Suite 450
Salt Lake City, Utah 84101
Telephone: (801) 994-4646

Full name of sole or first joint-inventor: **David Alan Burton**

Inventor's signature:



Date:

11/7/03

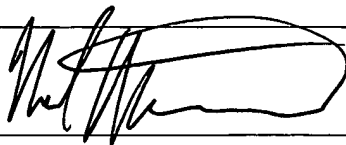
Residence: **7120 South Red Hill Road, Vail, Arizona 85641**

Citizenship: **United States of America**

Post Office Address: Same

Full name of second joint-inventor: **Noel Simen Otterness**

Inventor's signature:



Date:

11/1/2003

Residence: **2524 Cowley Drive, Lafayette, Colorado 80026**

Citizenship: **United States of America**

Post Office Address: Same